

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

SEP 17 2015

DAVID J. MALAND, CLERK
BY DEPUTY

IN THE UNITED STATES OF AMERICA
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 6:15CR17
§ Judge Schneider
CHAD CALHOUN §

SUPERSEDING INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 18 U.S.C. §§ 2252A(a)(2)(A)
and (b)(1) (Receipt of Child
Pornography)

Between on or about December 4, 2013 and on or about April 15, 2014, in the Eastern District of Texas, **Chad Calhoun**, defendant, did knowingly receive any child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer. Specifically, the defendant, **Chad Calhoun**, using the Internet, received the following visual depiction:

FILE NAME	DESCRIPTION
2013 pthc - f [REDACTED] toddler slidemovie.wmv	This video depicts the lascivious display of a nude, prepubescent female's genitals, which are penetrated by an adult male's penis and a foreign object.

In violation of 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1).

Count Two

Violation: 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2) (Possession of Child Pornography)

On or about June 25, 2014, in the Eastern District of Texas, **Chad Calhoun**, defendant, did knowingly possess material, namely, a Sony VAIO PCG-7153L laptop computer, bearing serial number 28284933-3006304, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), involving a prepubescent minor and a minor who had not attained 12 years of age, that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and that had been produced using materials that had been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer. Included among the videos that the defendant, **Chad Calhoun**, possessed were the following:

FILE NAME	DESCRIPTION
Neguinha mais l█████ toddler girl – pthc black baby learning (2).mpg	This video depicts a prepubescent female, whose genitals and anus are manipulated by the fingers and penis of an adult male.
pthc toddler – mother and daughter.avi	This video depicts a nude prepubescent female who licks a substance off of a nude, adult female and then the adult female performs oral sex on the prepubescent female's genitals.
11yr boy + man – anal lick.avi	This video depicts a prepubescent male who is tied to a tree while a masked adult male manipulates the prepubescent male's genitals with his mouth and hands.

In violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Upon conviction of the offense(s) alleged in this Indictment, the defendant, **Chad Calhoun**, shall forfeit to the United States his interest in the following property, including, but not limited to:

1. Sony VAIO PCG-7153L laptop computer, bearing serial number 28284933-3006304.
2. HP Pavilion ZV6000 laptop computer, bearing serial number CND5450N8J.

This property is forfeitable pursuant to 18 U.S.C. § 2253(a) based upon the property being:

- (1) any visual depiction described in section . . . 2252 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;

- (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; or
- (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense.

By virtue of the commission of the offense alleged in this Indictment, any and all interest the defendant has in this property is vested in and forfeited to the United States pursuant to 18 U.S.C. §§ 2253(a)(1) and (a)(3).

A TRUE BILL

BK

GRAND JURY FOREPERSON

JOHN M. BALES
UNITED STATES ATTORNEY

Maria Miller

MARISA J. MILLER
Assistant United States Attorney

Date: 9-16-2015

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TYLER DIVISION

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NOTICE OF PENALTY

Count One

Violation: 18 U.S.C. §§ 2252A(a)(2)(A) and (b)(1)

Penalty: Imprisonment for not less than five years and not more than twenty years; but if the defendant has a prior conviction under this chapter, section 1591, chapter 71, chapter 109A, chapter 117, or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography or sex trafficking of children, such person shall be imprisoned for not less than fifteen years and not more than forty years; a fine of not more than \$250,000; and a term of supervised release of not less than five years to life.

Special Assessment: \$ 100.00

Count Two

Violation: 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)

Penalty: Imprisonment for not more than ten years; but if any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be imprisoned for not more than 20 years; and, if the defendant has a prior conviction under this chapter, section 1591, chapter 71, chapter 109A, chapter 117,

or under section 920 of title 10 (article 120 of the Uniform Code of Military Justice), or under the laws of any State relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography or sex trafficking of children, such person shall be imprisoned for not less than ten years and not more than twenty years; a fine of not more than \$250,000; and a term of supervised release of not less than five years to life.

Special Assessment: \$ 100.00